

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, Cranston, RI on Tuesday, October 23, 2007 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Pearson, Jackson, Preiss, Blackburn, Jasparro, Filippi and Walker. Also present were Executive Director Thomas Coffey and Assistant Administrative Officer Carol Marsella. The following cases were heard.

APPEAL # 050696 : Mr. Douglas S. Harvey, for the property located at 77 Havelock Street, Woonsocket. ADSFM David Beaubien appeared for the Woonsocket Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by commissioner Jasparro, to approve the floor plan presented, provided the top floor of this facility not be occupied and the first floor capacity shall be limited to 299 people. Pursuant to those conditions, this facility is not required to be sprinklered at this time. The motion was unanimous.

APPEAL #070493: Ms. Emily Fisher, for the property located at 230 Grove Street, Woonsocket. ADSFM David Beaubien and Fire Alarm Superintendent Albert Blais appeared for the Woonsocket Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook, to grant a variance to accept the cited fire alarm connectors, there being no objection by the Woonsocket Fire Alarm Superintendent or the Woonsocket Fire Marshal. The Applicant has agreed to correct all other cited deficiencies, at the

direction and to the satisfaction of the Woonsocket Fire Marshal's office. The motion was unanimous.

APPEAL #060926: Peter J. Rotelli, Esq., for the property located at 123 Empire Street, Providence. ADSFM George Calise appeared for the Providence Fire Marshal's office. It was determined that the Applicant shall return on November 23, 2007 with an alternate plan of action for the remedy of the cited deficiency.

APPEAL #070143A: Mr. Benedetto A. Cerilli, Jr., for the property located at 70 Kennedy Plaza, Providence. ADSFM Joseph Michalczyk appeared for the Providence Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Blackburn, to grant the Applicant's request to maintain the five (5) historic doors with sprinklers installed in the lobby of the facility. The motion was unanimous.

APPEAL #070440: Mr. Thomas Gavelick, for the property located at 355 Thayer Street, Providence. ADSFM Joseph Michalczyk appeared for the Providence Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Filippi, to approve the Applicant's requested variance. The motion was unanimous.

APPEAL #070464: Mr. Ted Dow, for the property located at 1 Financial Plaza, Providence. ADSFM George Calise appeared for the Providence Fire Marshal's office. Commissioner Blackburn recused

himself from consideration of this case. Vice Chairman Newbrook made a motion, seconded by Commissioner Jasparro, to approve the Applicant's plan of action regarding the shaft enclosures and fire dampers in this facility, and indicate that this plan of action shall be attached to the deed for this building. The motion was unanimous.

APPEAL #070434: Mr. Walter Lada, for the property located at 5707 Post Road, East Greenwich. ADSFM Susan Hawksley appeared for the East Greenwich Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook, to approve the Applicant's requested variance on the basis of limited occupancy of the basement of this facility, no public access to this portion of the building and there being no objection by the East Greenwich Fire Marshal's office. The motion passed over the objection of Commissioners Walker, Preiss and Jasparro.

APPEAL #050292: Tiverton Management Corporation, for the property located at 514 Park Avenue, Portsmouth. Chief Jeffrey Lynch appeared for the Portsmouth Fire Marshal's office. The Applicant failed to appear.

APPEAL #200312C: Newport Yachting Center, for the property located at 4 Commercial Wharf, Newport. ADSFM Garshon appeared for the Newport Fire Marshal's office. Commissioner Preiss made a motion, seconded by Commissioner Jackson, to approve the Applicant's plan of action, to include the installation of a fire hydrant

and the removal of the cited fuel oil tank, within the timetables submitted by the Newport Fire Marshal's office. The motion was unanimous.

APPEAL #050232: Titus Realty, LLC, for the property located at 140-142 Broadway, Newport. ADSFM Garshon appeared for the Newport Fire Marshal's office. Commissioner Pearson made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a time variance of 120 days in which to create a continuous non-combustible path of travel and to install compliant stairs, at the direction and to the satisfaction of the Newport Fire Marshal's office. The motion was unanimous.

Respectfully submitted,

Carol Marsella

Assistant Administrative Officer